



PATENT

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Dated: December 13, 2004

BY: _____
Rodney D. DeKruif

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Emrick et al.)
)
Serial No: 10/643,015)
) Attorney Docket No. 7163
)
Filed: August 18, 2003)
)
For: PYRIDINE AND)
RELATED LIGAND)
COMPOUNDS,)
FUNCTIONALIZED)
NANOPARTICULATE)
COMPOSITES AND)
METHODS OF)
PREPARATION)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RULE 131 DECLARATION OF HABIB SKAFF

1. I, Habib Skaff, am a co-inventor with regard to the invention (the "Invention") disclosed and claimed in the above-entitled application (the "Application"). I make this declaration in support of the Application and, in particular, to antedate a reference cited against the Application.

2. The Invention claimed in the Application was completed before the effective date of application serial number 10/219,440 (*i.e.*, the Dubertret

reference). More specifically, the Invention was conceived and with due diligence reduced to practice prior to the effective date of the Dubertret reference.

3. This Declaration, and prior invention, is supported by copies of pertinent pages from my laboratory research notebook, entries to which I contemporaneously signed and dated and were witnessed by co-inventor, Todd S. Emrick. Date redacted copies of the aforementioned notebook pages are provided collectively as Exhibit A and incorporated herein by reference. These documents establish that the Invention was made at least as early as June 1, 2002, which is a date earlier than the effective date of the Dubertret reference.

I hereby declare that: All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code; and that willful false statements may jeopardize the validity of the Application or any patent issuing thereon.

Date 12/13/04


Habib Skaff